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Partners, L.P., Symphony Capital GP, L.P.,  
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Partners, LLC

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

In re DYNAVAX TECHNOLOGIES  
CORPORATION SECURITIES  
LITIGATION

This Document Relates To:

ALL ACTIONS

Case No. 3:13-cv-02796-CRB

**STIPULATION AND ORDER  
CONTINUING HEARING ON  
DEFENDANTS' MOTIONS TO DISMISS  
SECOND AMENDED CLASS ACTION  
COMPLAINT TO FEBRUARY 20, 2015**

Judge: Hon. Charles R. Breyer

1           Lead Plaintiff Khaled Khalafallah (“Lead Plaintiff”) and Defendants Dynavax Technologies  
 2 Corporation, Dino Dina, J. Tyler Martin, Mark Kessel, Symphony Capital Partners, L.P., Symphony  
 3 Capital GP, L.P., Symphony GP, LLC, and Symphony Strategic Partners, LLC (together, the  
 4 “Parties”) hereby stipulate as follows:

5           WHEREAS, Lead Plaintiff filed a second amended class action complaint (the “Complaint”  
 6 on September 10, 2014 (Dkt. No. 93);

7           WHEREAS, Defendants filed motions to dismiss the Complaint on October 10, 2014, and  
 8 set the hearing on the motions for December 19, 2014 (Dkt. Nos. 97 & 99);

9           WHEREAS, Lead Plaintiff opposed the motions to dismiss, which are now fully briefed;

10          WHEREAS, on December 15, 2014, the Court continued the hearing on the motions to  
 11 dismiss to January 23, 2015 at 10:00 a.m. (Dkt. No. 113);

12          WHEREAS, counsel for certain of the Defendants is unavailable on January 23, 2015; and

13          WHEREAS, the Parties have agreed to continue the hearing on the motions to dismiss to  
 14 February 6, 2015 at 10:00 a.m.

15          WHEREFORE, IT IS HEREBY STIPULATED AND AGREED that,

16          1.           The hearing on Defendants’ motions to dismiss the Complaint is continued to  
 17 February 20, 2015 at 10:00 a.m.

18          Dated: December 18, 2014

SHEARMAN & STERLING LLP

19  
 20 By: /s/ Emily V. Griffen  
 Emily V. Griffen

21                   Attorneys for Defendants Symphony Capital  
 22 Partners, L.P., Symphony Capital GP, L.P.,  
 23 Symphony GP, LLC, and Symphony Strategic  
 Partners, LLC

24                   COOLEY LLP

25 By: /s/ Jeffrey M. Kaban  
 26 Jeffrey M. Kaban

27                   Attorneys for Defendants Dynavax Technologies  
 28 Corporation, Dino Dina, J. Tyler Martin and Mark  
 Kessel

FARUQI & FARUQI, LLP

By: /s/ Richard W. Gonnello  
Richard W. Gonnello

Attorneys for Lead Plaintiff Khaled Khalafallah

\* \* \*

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: January 6, 2015

